

HOUSE JOURNAL

SEVENTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

FIFTY-FOURTH DAY — FRIDAY, APRIL 18, 1997

The house met at 12:25 p.m. and was called to order by the speaker pro tempore.

The roll of the house was called and a quorum was announced present (Record 179).

Present — Mr. Speaker; Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Hodge; Holzheuser; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbraneck.

Absent, Excused — Giddings; Horn; Junell; Smithee.

Absent — Hinojosa.

LEAVES OF ABSENCE GRANTED

On motion of Representative Carter and by unanimous consent, all members who were granted leaves of absence on the previous legislative day were granted leaves for this legislative day.

RULES SUSPENDED

Representative Carter moved to suspend all necessary rules in order to take up and consider at this time, on third reading and final passage, the bills on the local, consent, and resolutions calendar which were considered on the previous legislative day.

The motion prevailed without objection.

MOTION FOR ONE RECORD VOTE

On motion of Representative Carter and by unanimous consent, the house agreed to use the first record vote taken for all those bills on the local, consent,

and resolutions calendar that require a record vote on third reading and final passage, with the understanding that a member may record an individual vote on any bill with the journal clerk.

**LOCAL CALENDAR
CONSENT CALENDAR
THIRD READING**

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by a voice vote (members registering votes are shown following bill number):

HB 259

HB 2555

HB 3507

HB 3541

HB 251

HB 384

HB 729

HB 818

HB 922

HB 996

HB 1062

HB 1126

HB 1135

HB 1177

HB 1306

HB 1312

HB 1504

HB 1532

HB 1555

HB 1567

HB 1782 (Finnell - no)

HB 1798 (Clark and Isett - no)

HB 1808

HB 1811

HB 1875

HB 1879

HB 1965

HB 2138

HB 2145

HB 2156

HB 2185

HB 2271

HB 2286

HB 2348

HB 2353

HB 2499

HB 2509

HB 2563 (B. Turner - no)

HB 2569

HB 2601

HB 2688

HB 2689

HB 2696

HB 2721

HB 2779

HB 2920

HB 2964

HB 3025

HB 3125 (Clark, Craddick, Finnell, Isett, and Keffer - no)

HB 3159

HB 3203

HB 3252

SB 92

SB 192

SB 243

SB 263

SB 407

SB 454

SB 544

SB 872

SB 1083

COMMITTEE GRANTED PERMISSION TO MEET

Representative Stiles requested permission for the Committee on Calendars to meet while the house is in session.

Permission was granted without objection.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Calendars, 1:00 p.m. today, speakers committee room.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for today because of important business:

Hinojosa on motion of Berlanga.

**LOCAL CALENDAR
CONSENT CALENDAR
(consideration continued)**

The following bills which were considered on second reading on the previous legislative day on the local, consent, and resolutions calendar were laid before the house, read third time, and passed by (Record 180): 142 Yeas, 0 Nays, 2 Present, not voting (members registering votes and the results of the vote are shown following bill number).

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culbertson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Hodge; Holzheuser; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Rabuck; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Uher(C).

Absent, Excused — Giddings; Hinojosa; Horn; Junell; Smithee.

HB 254 (142-0-2)

HB 385 (142-0-2)

HB 463 (142-0-2)

HB 657 (142-0-2)

HB 1178 (142-0-2)

SB 553 (142-0-2)

HB 1596 (142-0-2)

HB 1673 (142-0-2)

HB 2141 (142-0-2)

HB 2220 (142-0-2)

HB 2327 (142-0-2)

HB 2492 (142-0-2)

HB 2769 (142-0-2)

HB 2832 (142-0-2)

HB 3043 (142-0-2)

HB 3065 (142-0-2)

HB 3279 (142-0-2)

HB 3478 (Clark, Galloway, Isett, Marchant, Shields, and Wohlgemuth - no)
(136-6-2)

HB 3547 (142-0-2)

SB 415 (142-0-2)

SB 422 (142-0-2)

SB 463 (142-0-2)

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business:

Rabuck on motion of Gutierrez.

BILLS AND JOINT RESOLUTIONS ON FIRST READING AND REFERRAL TO COMMITTEES RESOLUTIONS REFERRED TO COMMITTEES

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Cook in the chair)

HB 3583 - PERMISSION TO INTRODUCE

Representative Kubiak requested permission to introduce and have placed on first reading **HB 3583**.

A record vote was requested.

Permission to introduce was granted by (Record 181): 136 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Garcia; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hodge; Holzheuser; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Rhodes; Roman; Sadler; Seaman; Serna; Siebert; Smith; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Cook(C).

Absent, Excused — Giddings; Hinojosa; Horn; Junell; Rabuck; Smithee.

Absent — Edwards; Galloway; Hochberg; Reyna, E.; Shields.

HB 3584 - PERMISSION TO INTRODUCE

Representative Uher requested permission to introduce and have placed on first reading **HB 3584**.

A record vote was requested.

Permission to introduce was granted by (Record 182): 140 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Hodge; Holzheuser; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Cook(C).

Absent, Excused — Giddings; Hinojosa; Horn; Junell; Rabuck; Smithee.

Absent — King.

HB 3585 - PERMISSION TO INTRODUCE

Representative Greenberg requested permission to introduce and have placed on first reading **HB 3585**.

A record vote was requested.

Permission to introduce was granted by (Record 183): 139 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Hodge; Holzheuser; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Luna; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Price; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Solis; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker; Cook(C).

Absent, Excused — Giddings; Hinojosa; Horn; Junell; Rabuck; Smithee.

Absent — Gutierrez; Solomons.

HB 1391 - VOTE RECONSIDERED

Representative Raymond moved to reconsider the vote by which **HB 1391** failed to pass Thursday, April 17.

The motion to reconsider prevailed.

HB 1391 ON THIRD READING
(by Torres)

The chair laid before the house, on its third reading and final passage,

HB 1391, A bill to be entitled An Act relating to continuing education requirements for air conditioning and refrigeration contractors.

Amendment No. 1

Representative Kubiak offered the following amendment to **HB 1391**:

Amend **HB 1391** (on third reading) in Section 1 of the bill, by adding a new Subsection (h), Section 4B, Air Conditioning and Refrigeration Contractor License Law (Article 8861, Vernon's Texas Civil Statutes), to read as follows:

(h) Notwithstanding Subsection (a), a license holder who resides in a municipality with a population of 50,000 or less is not required to participate in a continuing education program.

A record vote was requested.

Amendment No. 1 failed of adoption (not receiving the necessary two-thirds vote) by (Record 184): 77 Yeas, 56 Nays, 4 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Bailey; Berlanga; Bosse; Brimer; Chavez; Counts; Craddick; Cuellar; Davila; Davis; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Farrar; Finnell; Flores; Gallego; Garcia; Glaze; Goodman; Greenberg; Gutierrez; Haggerty; Hamric; Hawley; Hernandez; Hightower; Hirschi; Hochberg; Hodge; Holzheuser; Jones, J.; Keel; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Maxey; McClendon; McReynolds; Moreno; Naishtat; Oakley; Oliveira; Olivo; Pickett; Pitts; Place; Price; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Rhodes; Sadler; Serna; Solis; Solomons; Staples; Stiles; Telford; Tillery; Torres; Turner, S.; Uher; Van de Putte; Wise; Wolens; Yarbrough; Zbranek.

Nays — Averitt; Bonnen; Burnam; Carter; Chisum; Christian; Clark; Coleman; Corte; Crabb; Culberson; Delisi; Denny; Driver; Eiland; Elkins; Galloway; Goolsby; Gray; Grusendorf; Hartnett; Heflin; Hilbert; Hilderbran; Hill; Howard; Hunter; Hupp; Isett; Jackson; Janek; Kamel; Keffer; Krusee; Madden; Marchant; McCall; Merritt; Moffat; Mowery; Nixon; Palmer; Reyna, E.; Roman; Seaman; Shields; Siebert; Smith; Swinford; Talton; Turner, B.; Walker; West; Williams; Wohlgemuth; Woolley.

Present, not voting — Mr. Speaker; Cook(C); Danburg; Williamson.

Absent, Excused — Giddings; Hinojosa; Horn; Junell; Rabuck; Smithee.

Absent — Jones, D.; King; Luna; Patterson; Thompson; Wilson.

Amendment No. 2

Representative Corte offered the following amendment to **HB 1391**:

Amend **HB 1391** as follows:

1) On page 1, strike lines 8 through 12, and substitute the following:

"Sec. 4B. CONTINUING EDUCATION PROGRAMS. (a) The commissioner by rule shall ~~may recognize, prepare, or administer~~ establish guidelines for continuing education programs for licensees. Participation in the programs is voluntary."

2) On page 1, strike lines 13 through 14.

3) On page 2, strike lines 1 through 11 and renumber appropriately.

(Speaker in the chair)

Amendment No. 2 was adopted.

A record vote was requested.

HB 1391, as amended, was passed by (Record 185): 83 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Alexander; Alvarado; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Coleman; Cook; Corte; Cuellar; Danburg; Davila; Davis; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Farrar; Flores; Gallego; Garcia; Goodman; Goolsby; Gray; Greenberg; Gutierrez; Haggerty; Hamric; Hawley; Hernandez; Hightower; Hirschi; Hochberg; Hodge; Holzheuser; Jackson; Jones, J.; Keffer; Kubiak; Lewis, G.; Longoria; Maxey; McClendon; McReynolds; Merritt; Moreno; Naishtat; Oakley; Oliveira; Olivo; Pickett; Pitts; Place; Puente; Rangel; Raymond; Reyna, A.; Rhodes; Roman; Sadler; Seaman; Serna; Solis; Stiles; Thompson; Tillery; Torres; Turner, S.; Uher; Van de Putte; Walker; Wilson; Wise; Wohlgemuth; Wolens; Yarbrough; Zbraneck.

Nays — Averitt; Chisum; Christian; Clark; Counts; Crabb; Craddick; Culberson; Delisi; Denny; Driver; Elkins; Finnell; Grusendorf; Hartnett; Heflin; Hilbert; Hilderbran; Hill; Howard; Hunter; Hupp; Isett; Janek; Kamel; Keel; King; Krusee; Kuempel; Madden; Marchant; Moffat; Mowery; Palmer; Reyna, E.; Shields; Siebert; Smith; Staples; Swinford; Talton; Turner, B.; West; Williams; Williamson; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Hinojosa; Horn; Junell; Rabuck; Smithee.

Absent — Allen; Galloway; Glaze; Jones, D.; Lewis, R.; Luna; McCall; Nixon; Patterson; Price; Ramsay; Solomons; Telford.

STATEMENT OF VOTE

When Record No. 185 was taken, I was in the house but away from my desk. I would have voted no.

Telford

HB 4 & HJR 4 - COMMITTEE ON CALENDARS RULE ADOPTED

Pursuant to House Rule 3, Section 4(2), and House Rule 6, Section 16(f), Representative Stiles moved to adopt the following rule, proposed by the Committee on Calendars, governing floor consideration of **HB 4** and **HJR 4**:

All original amendments that will be offered during second reading consideration of the measures must be filed with the chief clerk by 5 p.m. on Monday, April 21, 1997.

The motion prevailed without objection.

SB 388 - VOTE RECONSIDERED

Representative Van de Putte moved to suspend all necessary rules and to reconsider the vote by which **SB 388** was finally passed on Thursday, April 3.

The motion prevailed without objection.

SB 388 ON THIRD READING (Van de Putte - House Sponsor)

The speaker laid before the house, on its third reading and final passage,

SB 388, A bill to be entitled An Act relating to the provision of Texas Poison Control Center Network services to other jurisdictions and entities.

Amendment No. 1

Representative Van de Putte offered the following amendment to **SB 388**:

Amend **SB 388** on third reading in Section 777.010(a), Health and Safety Code, as added by SECTION 3 of the bill, strike "The" before "Texas Department of Health" and substitute "On approval by and in coordination with the governor, the".

Amendment No. 1 was adopted without objection.

SB 388, as amended, was passed.

**GENERAL STATE CALENDAR
HOUSE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**HB 976 ON THIRD READING
(by Brimer, et al.)**

HB 976, A bill to be entitled An Act relating to the abolition of the Texas Workers' Compensation Insurance Facility and the transfer of the assets and liabilities of that facility.

HB 976 was passed.

**HB 3197 ON THIRD READING
(by Janek and Brimer)**

HB 3197, A bill to be entitled An Act relating to utilization review of certain health care services provided to a person who sustains a compensable injury.

HB 3197 was passed.

**HB 2826 ON THIRD READING
(by Place)**

HB 2826, A bill to be entitled An Act relating to the qualifications required for appointment as a community supervision and corrections department officer.

A record vote was requested.

HB 2826 was passed by (Record 186): 139 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi;

Hochberg; Hodge; Holzheuser; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbraneck.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Hinojosa; Horn; Junell; Rabuck; Smithee.

Absent — Hartnett; Luna; Price.

HB 2082 ON THIRD READING **(by Hightower)**

HB 2082, A bill to be entitled An Act relating to the authority of the Texas Youth Commission to sell or license the right to use a treatment program developed by the commission.

A record vote was requested.

HB 2082 was passed by (Record 187): 137 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culbertson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Hodge; Holzheuser; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, D.; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Madden; Marchant; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Puente; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbraneck.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Hinojosa; Horn; Junell; Rabuck; Smithee.

Absent — Hartnett; Luna; Place; Price; Ramsay.

HB 40 ON THIRD READING
(by McCall, Junell, Stiles, et al.)

HB 40, A bill to be entitled An Act relating to the use of certain information regarding a current or former employee.

HB 40 was passed.

HB 539 ON THIRD READING
(by Uher, et al.)

HB 539, A bill to be entitled An Act relating to the civil liability of charitable organizations that are chambers of commerce.

HB 539 was passed.

HB 2252 ON THIRD READING
(by Oliveira)

HB 2252, A bill to be entitled An Act relating to certain projects and programs for residents of a colonia.

Amendment No. 1

Representatives Oliveira and Hinojosa offered the following amendment to **HB 2252**:

Amend **HB 2252** (second reading engrossment) as follows:

(1) On page 2, line 14, after "(b)" insert "(1)".

(2) On page 2, line 15, after "i" insert "The department may contract with the Texas A&M University Colonias Program and a colonia center at The University of Texas - Pan American to provide eligible services described by Subsections (b)(2), (b)(3), and (b)(4) that are eligible for federal reimbursement.

Amendment No. 1 was adopted without objection.

Amendment No. 2

Representative Chisum offered the following amendment to **HB 2252**:

Amend **HB 2252** on Third Reading by striking Section 4 of the bill (Section 5, House Committee Report) and renumbering the remaining sections accordingly.

Amendment No. 2 was adopted without objection.

HB 2252, as amended, was passed. (Howard recorded voting no)

HB 3116 ON THIRD READING
(by Greenberg and Oliveira)

HB 3116, A bill to be entitled An Act relating to work supplementation programs for certain welfare recipients.

Amendment No. 1

Representative Greenberg offered the following amendment to **HB 3116**:

Amend **HB 3116**, second reading engrossment, on page 1, line 16, by striking "not".

Amendment No. 1 was adopted without objection.

A record vote was requested.

HB 3116, as amended, was passed by (Record 188): 85 Yeas, 53 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Bailey; Berlanga; Bosse; Burnam; Carter; Chavez; Chisum; Coleman; Cook; Corte; Counts; Cuellar; Danburg; Davila; Davis; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Farrar; Flores; Gallego; Galloway; Garcia; Glaze; Goolsby; Gray; Greenberg; Gutierrez; Hawley; Hernandez; Hightower; Hirschi; Hochberg; Hodge; Jones, J.; King; Krusee; Lewis, G.; Lewis, R.; Longoria; Maxey; McClendon; McReynolds; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Patterson; Pickett; Pitts; Place; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Sadler; Serna; Solis; Stiles; Swinford; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; Wise; Wohlgemuth; Wolens; Yarbrough; Zbranek.

Nays — Averitt; Bonnen; Brimer; Christian; Clark; Crabb; Craddick; Culberson; Delisi; Denny; Driver; Elkins; Finnell; Goodman; Grusendorf; Haggerty; Hamric; Hartnett; Heflin; Hilbert; Hilderbran; Hill; Holzheuser; Howard; Hunter; Hupp; Isett; Jackson; Janek; Kamel; Keel; Keffer; Kubiak; Kuempel; Madden; Marchant; McCall; Merritt; Palmer; Reyna, E.; Rhodes; Roman; Seaman; Shields; Siebert; Smith; Solomons; Staples; Talton; West; Williams; Williamson; Woolley.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Hinojosa; Horn; Junell; Rabuck; Smithee.

Absent — Jones, D.; Luna; Price; Wilson.

STATEMENT OF VOTE

I was shown voting yes on Record No. 188. I intended to vote no.

Hawley

HB 1482 ON THIRD READING (by Carter)

HB 1482, A bill to be entitled An Act relating to computer and telecommunications offenses; providing penalties.

HB 1482 was passed.

HB 1212 ON THIRD READING (by Averitt, et al.)

HB 1212, A bill to be entitled An Act relating to health insurance portability and availability and the implementation of certain federal reforms relating to health insurance portability and availability.

A record vote was requested.

HB 1212 was passed by (Record 189): 138 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Alexander; Allen; Alvarado; Averitt; Bailey; Berlanga; Bonnen; Bosse; Brimer; Burnam; Carter; Chavez; Chisum; Christian; Clark; Coleman; Cook; Corte; Counts; Crabb; Craddick; Cuellar; Culberson; Danburg; Davila; Davis; Delisi; Denny; Driver; Dukes; Dunnam; Dutton; Edwards; Ehrhardt; Eiland; Elkins; Farrar; Finnell; Flores; Gallego; Galloway; Garcia; Glaze; Goodman; Goolsby; Gray; Greenberg; Grusendorf; Gutierrez; Haggerty; Hamric; Hartnett; Hawley; Heflin; Hernandez; Hightower; Hilbert; Hilderbran; Hill; Hirschi; Hochberg; Hodge; Holzheuser; Howard; Hunter; Hupp; Isett; Jackson; Janek; Jones, J.; Kamel; Keel; Keffer; King; Krusee; Kubiak; Kuempel; Lewis, G.; Lewis, R.; Longoria; Madden; Maxey; McCall; McClendon; McReynolds; Merritt; Moffat; Moreno; Mowery; Naishtat; Nixon; Oakley; Oliveira; Olivo; Palmer; Patterson; Pickett; Pitts; Place; Puente; Ramsay; Rangel; Raymond; Reyna, A.; Reyna, E.; Rhodes; Roman; Sadler; Seaman; Serna; Shields; Siebert; Smith; Solis; Solomons; Staples; Stiles; Swinford; Talton; Telford; Thompson; Tillery; Torres; Turner, B.; Turner, S.; Uher; Van de Putte; Walker; West; Williams; Williamson; Wilson; Wise; Wohlgemuth; Wolens; Woolley; Yarbrough; Zbranek.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Giddings; Hinojosa; Horn; Junell; Rabuck; Smithee.

Absent — Jones, D.; Luna; Marchant; Price.

HB 1977 ON THIRD READING
(by Smithee)

HB 1977, A bill to be entitled An Act relating to risk limitations for certain insurance companies.

HB 1977 was passed.

HB 2159 ON THIRD READING
(by Uher, et al.)

HB 2159, A bill to be entitled An Act relating to granting resident tuition status to children or dependents of certain former Texas residents.

HB 2159 was passed. (Craddick, Heflin, Howard, and Shields recorded voting no)

HB 627 ON THIRD READING
(by Flores and Gutierrez)

HB 627, A bill to be entitled An Act relating to proof of insurance filed with the Texas Department of Public Safety by certain motorists uninsured at the time of an accident.

HB 627 was passed.

HB 1621 ON THIRD READING
(by Pickett)

HB 1621, A bill to be entitled An Act relating to certain licensing in the real estate industry.

Amendment No. 1

Representative Pickett offered the following amendment to **HB 1621**:

Amend **HB 1621**, Second Reading Engrossment, as follows:

On page 10, line 5, strike "consumer or service recipient" and substitute "person".

Amendment No. 1 was adopted without objection.

HB 1621, as amended, was passed.

HB 1929 ON THIRD READING
(by McClendon)

HB 1929, A bill to be entitled An Act relating to the investigation and reporting of child abuse or neglect.

HB 1929 was passed.

HB 2146 ON THIRD READING
(by Maxey)

HB 2146, A bill to be entitled An Act relating to studying minority participation in public higher education.

HB 2146 was passed.

HB 2424 ON THIRD READING
(by Puente)

HB 2424, A bill to be entitled An Act relating to deductions of the amount of certain child support awards from lottery winnings.

HB 2424 was passed.

HB 2193 ON THIRD READING
(by Wise)

HB 2193, A bill to be entitled An Act relating to the trust fund requirement for alien surplus lines insurers.

HB 2193 was passed.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

Business and Industry, Subcommittee on **HB 3464**, on adjournment today, Desk 100, to consider **HB 3464**.

Environmental Regulation, on adjournment today, Desk 98, to consider pending business.

Public Health, on adjournment today, Desk 138.

ADJOURNMENT

Representative Uher moved that the house adjourn until 10 a.m. Monday.

The motion prevailed without objection.

The house accordingly, at 2 p.m., adjourned until 10 a.m. Monday, April 21.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

- SB 48** to Criminal Jurisprudence.
- SB 68** to Criminal Jurisprudence.
- SB 208** to Public Health.
- SB 226** to State, Federal & International Relations.
- SB 227** to State, Federal & International Relations.
- SB 265** to Economic Development.
- SB 318** to Judicial Affairs.
- SB 323** to Civil Practices.
- SB 395** to County Affairs.
- SB 462** to Public Education.
- SB 514** to Public Health.
- SB 517** to Public Education.
- SB 595** to State Recreational Resources.
- SB 625** to Juvenile Justice & Family Issues.
- SB 645** to State Affairs.
- SB 682** to Insurance.
- SB 706** to Economic Development.
- SB 710** to State Recreational Resources.
- SB 739** to Economic Development.
- SB 883** to Civil Practices.
- SB 888** to Licensing & Administrative Procedures.
- SB 898** to State Affairs.
- SB 899** to Natural Resources.
- SB 901** to Economic Development.
- SB 907** to Criminal Jurisprudence.
- SB 908** to Public Health.

SB 911 to Civil Practices.
SB 932 to Economic Development.
SB 936 to Public Education.
SB 964 to Public Safety.
SB 966 to Judicial Affairs.
SB 988 to Ways & Means.
SB 1028 to Higher Education.
SB 1033 to Ways & Means.
SB 1038 to Higher Education.
SB 1057 to Public Health.
SB 1063 to Judicial Affairs.
SB 1088 to Elections.
SB 1094 to Business & Industry.
SB 1127 to State, Federal & International Relations.
SB 1154 to Public Education.
SB 1162 to Financial Institutions.
SB 1170 to Transportation.
SB 1175 to Natural Resources.
SB 1176 to Judicial Affairs.
SB 1177 to State Affairs.
SB 1190 to Licensing & Administrative Procedures.
SB 1209 to Pensions & Investments.
SB 1211 to County Affairs.
SB 1233 to County Affairs.
SB 1268 to Public Safety.
SB 1271 to State Affairs.
SB 1273 to Public Safety.
SB 1284 to Public Health.
SB 1295 to Public Health.
SB 1313 to Public Health.
SB 1314 to Judicial Affairs.
SB 1359 to Public Education.
SB 1386 to State, Federal & International Relations.
SB 1395 to County Affairs.

SB 1422 to Higher Education.
SB 1447 to Insurance.
SB 1450 to Natural Resources.
SB 1453 to Ways & Means.
SB 1454 to Urban Affairs.
SB 1464 to Environmental Regulation.
SB 1465 to Agriculture & Livestock.
SB 1485 to Higher Education.
SB 1487 to Energy Resources.
SB 1502 to Urban Affairs.
SB 1519 to Economic Development.
SB 1527 to Urban Affairs.
SB 1529 to Business & Industry.
SB 1530 to Business & Industry.
SB 1544 to Corrections.
SB 1547 to Judicial Affairs.
SB 1579 to Criminal Jurisprudence.
SB 1621 to Land & Resource Management.
SB 1630 to Transportation.
SB 1681 to Ways & Means.
SB 1712 to Higher Education.
SB 1756 to Public Safety.
SB 1805 to Ways & Means.
SB 1810 to Urban Affairs.
SB 1826 to Higher Education.
SB 1838 to Business & Industry.
SB 1877 to Economic Development.
SB 1888 to Natural Resources.
SB 1893 to Public Education.
SB 1903 to State Affairs.
SB 1904 to State Affairs.
SCR 27 to State, Federal & International Relations.
SCR 46 to Rules & Resolutions.
SCR 55 to State, Federal & International Relations.

SCR 60 to Rules & Resolutions.

SCR 72 to Rules & Resolutions.

SCR 73 to Rules & Resolutions.

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

April 17

Business & Industry - **HB 2128, HB 2631, HB 3575**

Civil Practices - **HB 2766**

Corrections - **HB 1667, HB 2326**

Criminal Jurisprudence - **HB 2634**

Economic Development - **SB 893**

Energy Resources - **HB 2691, HB 3194, SB 638**

Environmental Regulation - **HB 2604, SB 633**

Higher Education - **HB 2528**

House Administration - **SB 819**

Human Services - **HB 607, HB 1909, SB 190, SB 290**

Insurance - **HB 262, HB 2793**

Judicial Affairs - **HB 907, HB 1682, HB 1706, HB 1974, HB 2003, HB 2007, HB 2297, HB 2727, HB 2734, HB 2922, HB 2951, HB 3060, HB 3088, HB 3104, HB 3105, HB 3538, HB 3557, HB 3558, HB 3559, HB 3565, SB 997, SB 998**

Juvenile Justice & Family Issues - **HB 1751, HB 2005, HB 3550**

Land & Resource Management - **HB 2738, HB 3016**

Licensing & Administrative Procedures - **HB 1825, HB 2703, HB 2997, SB 271, SB 484, SB 672**

Pensions & Investments - **SB 1060**

Public Safety - **HB 57, HB 399, HB 2213, HB 3074**

State, Federal & International Relations - **HB 686**

Transportation - **HB 1906, HB 2469, HB 3443, HB 405, SB 120, SB 161, SB 446, SB 460, SB 950**

ENGROSSED

April 17 - **HB 209, HB 327, HB 473, HB 494, HB 564, HB 598, HB 621, HB 723, HB 785, HB 883, HB 1168, HB 1193, HB 1228, HB 1285, HB 1410,**

**HB 1489, HB 1550, HB 1747, HB 1761, HB 1820, HB 1843, HB 1870,
HB 1975, HB 1976, HB 2015, HB 2102, HB 2116, HB 2437, HB 2644,
HB 2649, HB 2692, HB 2812**

ENROLLED

April 17 - **HCR 112**

SENT TO THE GOVERNOR

April 17 - **HCR 112**